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# Federal Defenders OF NEW YORK, INC.

Southern District  
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Southern District of New York  
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April 28, 2020

**By ECF and Email**

Honorable Lewis A. Kaplan  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

## MEMO ENDORSED

**Re: United States v. Ricardo Garcia Diaz, 20 Cr. 140 (LAK)**

Dear Judge Kaplan,

I write jointly with the Government to request a 60-day adjournment of the Government's discovery deadline and all pretrial motions deadlines in this case. Under the current schedule, the Government was to complete discovery by April 1, 2020, except for lab results which were due May 1, 2020. Mr. Garcia Diaz's motions were due June 1, 2020—one month after the discovery deadline—with the Government's opposition due June 15, 2020 and the Defendant's reply by June 22, 2020. Oral argument or a status conference was set for June 25, 2020. Due to backlogs at the Drug Enforcement Agency and other staffing issues related to the COVID-19 pandemic, the Government has represented to me that they will require an additional sixty days to complete producing discovery, including lab results as well as the results of electronic searches of seized devices. The Government has proposed that their deadline for producing these outstanding items of discovery be extended to July 1, 2020. I do not object, but I request that the deadline for Mr. Garcia Diaz's pretrial motions be extended until one month after the Government's new discovery deadline. Accordingly, the parties propose the following schedule:

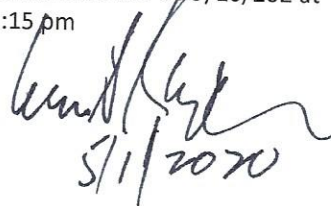
- Government's discovery to be completed by July 1, 2020
- Defendant's motions to be filed by August 3, 2020
- Government's opposition due by August 17, 2020
- Defendant's reply by August 24, 2020
- Oral argument or status conference after August 25, 2020 at the convenience of the Court

The parties do not anticipate a need to postpone the current trial date of October 19, 2020, and the Court has already excluded time through that date under the Speedy Trial Act. There have been no prior requests to adjourn any deadline in this case. Thank you for your consideration of this request.

Respectfully submitted,

/s/ Ariel Werner  
Ariel Werner  
Assistant Federal Defender  
212.417.8770

Schedule approved. Argument or  
conference will be 9/10/202 at  
2:15 pm



5/11/2020

cc: Ni Qian, Assistant U.S. Attorney